

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No.	10/604,626)	
)	
Filed:	August 5, 2003)	<i>Confirmation No. 1625</i>
)	
Patent No.	7,188,138 B1)	
)	
Issued:	March 6, 2007)	This Renewed Petition was
)	electronically filed using the USPTO's
)	EFS-Web on March 26, 2010.
Applicants:	Eric Schneider)	
)	
Title:	Method, Product, and Apparatus for)	
	Resource Identifier Registration and)	
	Aftermarket Services)	
)	
Art Unit:	2157)	
)	
Examiner:	Moustafa M. MEKY)	
)	
)	
Attorney Docket:	93766)	
)	
Customer No.:	22242)	
)	

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

ATTENTION: Certificate of Correction Branch

**RENEWED PETITION FOR CERTIFICATE OF CORRECTION OF PATENT FOR
APPLICANT'S MISTAKE (37 CFR § 1.323) AND FOR OFFICE'S MISTAKE (37 CFR § 1.322)**

Sir:

In response to the Decision mailed March 11, 2010 dismissing our Request for Certificate of Correction, we respectfully submit a Renewed Petition under 37 CFR §1.78(a)(3) and Certificate of Correction in accordance with 37 C.F.R. § 1.323 and 37 C.F.R. § 1.322, and we respectfully request that a Certificate of Correction be issued for the above-captioned patent to correct the following errors:

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ON TITLE PAGE, please delete

“(63) Continuation of application No. 09/683,481, filed on Jan. 5, 2002, now abandoned.”

ON TITLE PAGE, please insert

--(63) Continuation of application No. 09/683,481 filed Jan. 5, 2002, now abandoned, which is a continuation-in-part of application No. 09/682,351 filed Aug. 23, 2001, now abandoned, and is a continuation-in-part of application No. 09/682,133 filed Jul. 25, 2001, now U.S. Pat. No. 7,194,552, and is a continuation-in-part of application No. 09/653,100 filed Aug. 31, 2000, now U.S. Pat. No. 6,760,746, and is a continuation-in-part of application No. 09/650,827 filed Aug. 30, 2000, now U.S. Pat. No. 6,901,436, and is a continuation-in-part of application No. 09/598,134 filed Jun. 21, 2000, now U.S. Pat. No. 6,895,430 and is a continuation-in-part of application No. 09/532,500 filed Mar. 21, 2000, now U.S. Pat. No. 7,136,932, and is a continuation-in-part of application No. 09/525,350 filed Mar. 15, 2000, now U.S. Pat. No. 6,338,082.

(60) Provisional application No. 60/175,825 filed Jan. 13, 2000, provisional Application No. 60/160,125 filed Oct. 18, 1999, provisional application No. 60/157,075 filed Oct. 1, 1999, provisional application No. 60/130,136 filed Apr. 20, 1999, provisional application No. 60/125,531 filed Mar. 22, 1999.--

Column 1, Lines 8-37, the specification is amended as follows:

This application is a continuation application of U.S. patent application Ser. No. 09/683,481 filed Jan. 5, 2002, by Schneider, now abandoned, which ~~also claims the benefit~~ is a continuation-in-part of U.S. patent application Ser. No. 09/682,351 filed Aug. 23, 2001, by Schneider, now abandoned, ~~which claims the benefit~~ and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part of U.S. patent application Ser. No. 09/682,133 filed Jul. 25, 2001, by

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Schneider, now U.S. Pat. No. 7,194,552 still pending, which claims the benefit of U.S. patent application Ser. No. 09/525,350 filed Mar. 15, 2000, by Schneider, now U.S. Pat. No. 6,338,082, and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part claims the benefit of U.S. patent application Ser. No. 09/653,100 filed Aug. 31, 2000, by Schneider, now U.S. Pat. No. 6,760,746, and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part claims the benefit of U.S. patent application Ser. No. 09/650,827 filed Aug. 30, 2000, by Schneider, now U.S. Pat. No. 6,901,436, and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part claims the benefit of U.S. patent application Ser. No. 09/598,134 filed Jun. 21, 2000, by Schneider, now U.S. Pat. No. 6,895,430 and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part claims the benefit of U.S. patent application Ser. No. 09/532,500 filed Mar. 21, 2000, by Schneider, now U.S. Pat. No. 7,136,932 still pending, and U.S. patent application Ser. No. 09/683,481 is a continuation-in-part claims the benefit of U.S. patent application Ser. No. 09/525,350 filed Mar. 15, 2000, by Schneider, now U.S. Pat. No. 6,338,082 which claims the benefit of U.S. Provisional Application Ser. No. 60/175,825 filed Jan. 13, 2000, by Schneider, now abandoned, U.S. Provisional Application Ser. No. 60/160,125 filed Oct. 18, 1999, by Schneider, now abandoned, U.S. Provisional Application Ser. No. 60/157,075 filed Oct. 1, 1999, by Schneider, now abandoned, U.S. Provisional Application Ser. No. 60/130,136 filed Apr. 20, 1999, by Schneider, now abandoned, and U.S. Provisional Application Ser. No. 60/125,531 filed Mar. 22, 1999, by Schneider, now abandoned.

REMARKS

This renewed petition is in response to the Patent Office's dismissal of the Request for Certificate of Correction filed November 20, 2009. Please note that the Decision was mailed to the wrong address; please verify the correct correspondence address for this matter is that which is recited at the conclusion of this paper.

The Decision stated that our request for Certificate of Correction was treated as a petition under 37 CFR § 1.78(a)(3), seeking to add a claim for priority under 35 U.S.C. § 120. We believe that treating our request in this manner was in error, as further described below. As such, we respectfully request that the \$1,410 surcharge be refunded to Deposit Account No. 06-1135.

The Application Data Sheet is Controlling, Thereby Removing the Need to Petition for Correction of Priority

Our request for Certificate of Correction filed on November 20, 2009 did not include the petition required under 37 CFR § 1.78(a)(3) because no additional claims of priority were substantively added by our Certificate of Correction. The application for this issued patent was filed on August 5, 2003, along with an Application Data Sheet. The related applications were specifically claimed in the Application Data Sheet filed on August 5, 2003 (attached) in accordance with 37 CFR § 1.76(b)(5), which constitutes the specific reference required by 35 U.S.C. § 120 and 37 CFR § 1.78(a)(2). The requested Certificate of Correction listing these priority claims on the face of the patent was to correct an error on the part of the PTO under 37 CFR § 1.322. These priority claims, correctly claimed in the Application Data Sheet, should have been listed on the face of the patent. Where the priority claims in the Application Data Sheet were inconsistent with the priority claims in the specification, according to 37 CFR § 1.76(d)(2), the information in the Application Data Sheet governs.

In the Certificate of Correction, we also corrected the priority claims as listed in the specification in order for them to correspond to the correct claims of priority as recited in the Application Data Sheet. As this error was due to applicant's mistake, this request falls under 37 CFR § 1.323.

As previously stated, the priority claims were correctly made and established on the filing date. Thus, the requested Certificate of Correction does not add any new priority claims

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requiring the \$1,410 surcharge. The request is for the PTO correct its mistake in not listing these claims on the face of the patent.

The Priority Claim is Correct

The Decision stated that the amendment presented in the Certificate of Correction was unacceptable because “application 09/683,491 [sic] became abandoned on May 4, 2003....” (Emphasis added.) This may very well be true; however, we did not claim priority to that application. Rather, our priority claim in the Certificate of Correction is to “application No. 09/683,481 [“the ‘481 application”] filed Jan 5, 2002, now abandoned....” (Emphasis added.) The ‘481 application was abandoned on October 1, 2003. The filing date for this patent for which we requested correction was August 5, 2003. Thus, these applications were “co-pending at the time the present application was filed” and are acceptable. The claim of priority to the ‘481 application was recited in the Application Data Sheet filed with the application that matured into the patent at issue in this renewed petition.

The Decision further stated that “09/532,350 [“the ‘350 application”] does not claim the benefit of 60/175,825, 60/160,125 and 60/125,531.” We respectfully disagree with this assessment. Each of these provisional applications is listed on both the face of U.S. Patent No. 6,338,082 B1 (“the ‘082 patent”), which is the patent that issued from the ‘350 application. Furthermore, the ‘350 application claims the benefit of the above listed provisional applications in the first paragraph of the specification, as recited in Col. 1, Lines 5-26 of the ‘082 patent.

Conclusion

Attached hereto is Form PTO/SB/44 incorporating the requested changes. This is the same form that was submitted in the prior Request for Certificate of Correction.

As the requested correction to the priority claim does not add any new claims of priority requiring a petition under 37 CFR § 1.78(a)(3), please refund our deposit account, Deposit

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Account No. 06-1135, in the amount of \$1,410.00 to refund the fee for the petition which was not required and improperly charged. The Commissioner is hereby authorized to charge any additional fees which may be required in respect to this communication to Deposit Account No. 06-1135.

Please send the Certificate to:

Nicholas T. Peters, Esq.
FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle St., Suite 1600
Chicago, IL 60603

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY


Dated: March 26, 2010

/Nicholas T. Peters/
Nicholas T. Peters
ntpete@fitcheven.com
Registration No. 53,456

120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
Telephone: 312.577.7000
Facsimile: 312.577.7007

Electronic Version v14

Stylesheet Version v14.0

Title of Invention	METHOD, PRODUCT, AND APPARATUS FOR RESOURCE IDENTIFIER REGISTRATION AND AFTERMARKET SERVICES
<p>Application Type : regular, utility</p> <p>Request Not To Publish</p> <p>I/We hereby request that the attached application not be published under 37 U.S.C. 122(b).</p> <p>I/We hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.</p>	
<p>Correspondence address:</p> <p>Customer Number: 24226</p> 	
<p>Continuing Data:</p> <p>This is a Continuation of US application number 09/683,481, filed 2002-01-05 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/682,351, filed 2001-08-23 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/682,133, filed 2001-07-25 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/653,100, filed 2000-08-31 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/650,827, filed 2000-08-30 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/598,134, filed 2000-06-21 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/532,500, filed 2000-03-21 , now pending.</p> <p>US application number 09/683,481, filed 2002-01-05 is a Continuation-in-part of US application number 09/525,350, filed 2000-03-15 , now US patent number 6,338,082, issued 2003-08-05.</p> <p>US application number 09/525,350, filed 2000-03-15 is a Non-Provisional of US application number</p>	

60/175,825, filed 2000-01-13 , now abandoned.

US application number 09/525,350, filed 2000-03-15 is a Non-Provisional of US application number 60/160,125, filed 1999-10-18 , now abandoned.

US application number 09/525,350, filed 2000-03-15 is a Non-Provisional of US application number 60/157,075, filed 1999-10-01 , now abandoned.

US application number 09/525,350, filed 2000-03-15 is a Non-Provisional of US application number 60/130,136, filed 1999-04-20 , now abandoned.

US application number 09/525,350, filed 2000-03-15 is a Non-Provisional of US application number 60/125,531, filed 1999-03-22 , now abandoned.

Inventor Information:

Inventor 1:

Applicant Authority Type:	Inventor
Citizenship:	US
Name prefix:	Mr.
Given Name:	Eric
Family Name:	Schneider
Residence:	
City of Residence:	University Heights
State of Residence:	OH
Country of Residence:	US
Address-1 of Mailing Address:	13944 Cedar Road #258
Address-2 of Mailing Address:	
City of Mailing Address:	University Heights
State of Mailing Address:	OH
Postal Code of Mailing Address:	44118
Country of Mailing Address:	US
Phone:	216-231-2400
Fax:	
E-mail:	eric@tlda.com

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